

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **MAY 11 1995**

Returned to applicant for correction.....

Corrected application filed..... Map filed **MAY 11 1994** under 28909

The applicant **OBYT Mining Corp.**

P.O. Box 427 of **Mina NV.**
Street and No. or P.O. Box No. City or Town

NV. 89422 hereby make application for permission to change the
State and Zip Code No.

point of diversion, place of use, manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit #28909, Cert. Rec. #9821**
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is **underground Keystone well - Hot Creek Valley Basin**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **0.008 c.f.s.**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Mining - Milling & Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Milling & Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **SW1 of NW1 Section 11 T-6 N. R50E**
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

N 15.0° + - W, a distance of 2500 ft. + -

6. The existing permitted point of diversion is located within **NW1 NW1 Section 10 T. 6N. R. 50E.**
If point of diversion is not changed, do not answer.

M.D.B.&M or at a point from which the NW corner of said Section 10 bears N. 39°

30' W., a distance of 1658 feet. - Nye County

7. Proposed place of use **sections 7-8-9-10-11-16-17-18-19-20-21 T6N R50E MDB&M**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **within the NE1 NW1 NE1 NE1 of section 10; SE1 NE1 SW1 SE1**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

of Section 9; SW1 NW1 of Section 16; SW1 SE1 of Section 17; all within T. 6N.,

R. 50E., M.D.B.&M.,

9. Use will be from **Jan. 1** to **Dec. 31** of each year.
Month and Day Month and Day

10. Use was permitted from **Jan. 1** to **Dec. 31** of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **well pump - storage tank and piping**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$10,000 + -**

13. Estimated time required to construct works **well completed - 45 day work period**

6 month's + -

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Current well will not produce ness. water. intend to rehab. well if production can not be obtained. Use Map under 28909 for existing point of diversion and point of use

s/H. Lynn McGuire agent
By..... Rt 1 Box 146
Rockdale, Tx 76567

Compared..... jr/bk jr/bk

Protested.....

APPROVAL
.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 28909, Certificate 9821 is issued subject to the terms and conditions imposed in said Permit 28909, Certificate 9821 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.008cubic feet per second, but not to exceed 5.8 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have herunto set my hand and the seal of my
office, this 3rd day of August,
A.D. 1995
[Signature] P.E.
State Engineer

TEMPORARY

TEMPORARY

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on August 2, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

